

Application Serial No.: 10/732,890
Attorney Docket No.: 2N04.1-010
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: LISK et al.

Serial No.: 10/732,890

Filed: December 10, 2003

For: **"DISPOSABLE SEPARATOR FOR
SEPARATING THE EPITHELIUM
LAYER FROM THE CORNEA OF
AN EYE"**

)
) Group Art Unit: 3731

)
) Examiner: N/A

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

GARDNER GROFF, P.C.
Paper Mill Village, Building 23
600 Village Trace, Suite 300
Marietta, GA 30067

January 5, 2005

Sir:

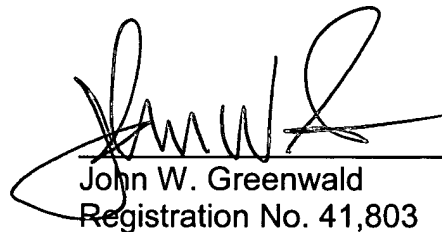
Submitted herewith on forms PTO/SB/08A&B is a listing of documents known to applicants and/or their attorneys in compliance with the requirements of 37 C.F.R. § 1.56. Copies of the U.S. patent documents are not enclosed. 37 C.F.R. § 1.98(d). Copies of non-patent documents are enclosed, as well as copies of the foreign patents. Translations are included providing explanation, as presently understood, about the content of references not in the English language. Consideration of the cited documents and making the same of record in the prosecution of the above-noted application are respectfully requested.

The filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made (37 C.F.R. § 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability (37 C.F.R. § 1.97(h)) or statutory prior art, or that no other material information exists. The filing of this Information

Disclosure Statement shall not be construed as an admission against interest in any manner.
Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

No fee is believed to be due, as this Information Disclosure Statement is submitted within three months of the filing date or before receipt of a first office action on the merits. 37 C.F.R. § 1.97(b). However, if any extension of time is necessary to render this filing timely, please consider this a request therefor. The Commissioner is authorized to charge any additional fees due or credit any overpayment to Deposit Account 50-1513.

Respectfully submitted,



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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Complete if Known

Application Number	10/732,890
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First Named Inventor	LISK et al.
Art Unit	3731
Examiner Name	N/A
Attorney Docket Number	2N04.1-010

Sheet 1 of 6

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	A	US- 2,881,500	04-14-1959	Furness	
	B	US- 4,198,132	04-15-1980	Seeger et al.	
	C	US- 4,346,482	08-31-1982	Tennant et al.	
	D	US- 4,646,720	03-03-1987	Peyman et al.	
	E	US- 4,659,584	04-21-1987	Schilk	
	F	US- 4,662,370	05-05-1987	Hoffmann et al.	
	G	US- 4,662,881	05-05-1987	Nordan	
	H	US- 4,665,914	05-19-1987	Tanne	
	I	US- 4,676,790	06-30-1987	Kern	
	J	US- 4,688,570	08-25-1987	Kramer et al.	
	K	US- 4,715,858	12-29-1987	Lindstrom	
	L	US- 4,798,204	01-17-1989	L'Esperance, Jr.	
	M	US- 4,844,060	07-04-1989	Krumeich	
	N	US- 4,865,033	09-12-1989	Krumeich et al.	
	O	US- 4,884,570	12-05-1989	Krumeich et al.	
	P	US- 4,955,894	09-11-1990	Herman	
	Q	US- 5,011,498	04-30-1991	Krumeich et al.	
	R	US- 5,108,412	04-28-1992	Krumeich et al.	
	S	US- 5,133,726	07-28-1992	Ruiz et al.	

FOREIGN PATENT DOCUMENTS

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		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
	A	DE 27 50 492 A1	05-17-1979	GeBauer		
	B	DE 93 15 396 U1	02-17-1994	GeBauer		
	C	DE 101 19 477 A1	10-24-2002	GeBauer		✓
	D	DE 102 32 169 A1	02-05-2004	GeBauer		✓
	E	DE 198 47 089 A1	05-31-2000	GeBauer		✓
	F	DE 200 23 239 U1	08-14-2003	GeBauer		✓

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Art Unit	3731
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Sheet **2** of **6****U. S. PATENT DOCUMENTS**

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		Number-Kind Code ² (if known)			
	T	US- 5,171,318	12-15-1992	Gibson et al.	
	U	US- 5,192,316	03-09-1993	Ting	
	V	US- 5,213,720	05-25-1993	Civerchia	
	W	US- 5,215,104	06-01-1993	Steinert	
	X	US- 5,279,611	01-18-1994	McDonnell et al.	
	Y	US- 5,312,413	05-17-1994	Eaton et al.	
	Z	US- 5,374,515	12-20-1994	Parenteau et al.	
	AA	US- 5,395,385	03-07-1995	Kilmer et al.	
	AB	US- 5,462,739	10-31-1995	Dan et al.	
	AC	US- 5,492,135	02-20-1996	DeVore et al.	
	AD	US- 5,522,888	06-04-1996	Civerchia	
	AE	US- 5,554,155	09-10-1996	Awh et al.	
	AF	US- 5,632,757	05-27-1997	Arnott	
	AG	US- 5,676,679	10-14-1997	Simon et al.	
	AH	US- 5,690,657	11-25-1997	Koepnick	
	AI	US- 5,716,633	02-10-1998	Civerchia	
	AJ	US- 5,722,427	03-03-1998	Wakil et al.	
	AK	US- 5,740,803	04-21-1998	Gray et al.	
	AL	US- 5,807,381	09-15-1998	Lieberman	

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		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
	G	DE 201 07 259 U1	12-06-2001	GeBauer		<input checked="" type="checkbox"/>
	H	DE 201 15 585 U1	03-28-2002	Geuder AG		<input checked="" type="checkbox"/>
	I	DE 202 04 635 U1	09-04-2003	ALTEC Aluminum		<input checked="" type="checkbox"/>
	J	DE 297 12 339 U1	01-29-1998	Buderus Guss		<input type="checkbox"/>
	K	DE 297 14 266 U1	12-11-1997	ALTEC Aluminum		<input type="checkbox"/>
	L	DE 298 05 538 U1	07-16-1998	GeBaur		<input type="checkbox"/>

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Sheet **3** of **6****U. S. PATENT DOCUMENTS**

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		Number-Kind Code ² (if known)			
	AM	US- 5,827,641	10-27-1998	Parenteau et al.	
	AN	US- 5,851,213	12-22-1998	Berleth et al.	
	AO	US- 5,857,995	01-12-1999	Thomas et al.	
	AP	US- 5,919,185	07-06-1999	Peyman	
	AQ	US- 5,970,984	10-26-1999	Wakil et al.	
	AR	US- 5,980,543	11-09-1999	Carriazo et al.	
	AS	US- 5,997,559	12-07-1999	Zierner	
	AT	US- 6,030,398	02-29-2000	Klopotek	
	AU	US- 6,036,683	03-14-2000	Jean et al.	
	AV	US- 6,071,293	06-06-2000	Krumeich	
	AW	US- 6,083,236	07-04-2000	Feingold	
	AX	US- 6,099,541	08-08-2000	Klopotek	
	AY	US- 6,110,202	08-29-2000	Barraquer et al.	
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	BA	US- 6,254,619	07-03-2001	Garabet et al.	
	BB	US- 6,280,435	08-28-2001	Odrich et al.	
	BC	US- 6,280,469	08-28-2001	Terry et al.	
	BD	US- 6,302,896	10-16-2001	Carriazo et al.	
	BE	US- 6,335,006	01-01-2002	Miller	

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		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
	M	DE 298 10 603 U1	12-03-1998	ALTEC Aluminum		
	N	DE 3838253 A1	05-23-1990	Krumeich		<input checked="" type="checkbox"/>
	O	EP 0 659 955 A1	08-17-1994	ALTEC Aluminum		<input checked="" type="checkbox"/>
	P	EP 0 873 735 A1	10-28-1998	Krumeich		
	Q	EP 0 956 840 A2	11-17-1999	Nidek Co., Ltd.		
	R	EP 1 114 628 A2	07-11-2001	Nidek Co., Ltd.		

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		Number-Kind Code ² (if known)			
	BF	US- 6,379,370	04-30-2002	Feinsod	
	BG	US- 6,391,055	05-21-2002	Ikada et al.	
	BH	US- 6,409,345	06-25-2002	Molebny et al.	
	BI	US- 6,451,039	09-17-2002	Richey, Jr. et al.	
	BJ	US- 6,506,198	01-14-2003	Amano	
	BK	US- 6,589,558	07-08-2003	Pallikaris	
	BL	US- 6,623,497	09-23-2003	Feingold	
	BM	US- 6,626,924	09-30-2003	Klopotek	
	BN	US- US 2001/0053917	12-20-2001	Lin et al.	
	BO	US- US 2002/0026101	02-28-2002	Bookwalter et al.	
	BP	US- US 2002/0026240	02-28-2002	Pallikaris et al.	
	BQ	US- US 2002/0052596	05-02-2002	Pallikaris et al.	
	BR	US- US 2002/0052614	05-02-2002	GeBauer	
	BS	US- US 2002/0077640	06-20-2002	Metzger	
	BT	US- US 2003/0011745	01-16-2003	Molebny et al.	
	BU	US- US 2003/0083743	05-01-2003	Perez	
	BV	US- US 2003/0220653	11-27-2003	Perez	
	BW	US- US 2004/0059361	03-25-2004	Feingold et al.	
	BX	US- US 2004/0167555	08-26-2004	Pallikaris et al.	

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		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
	S	EP 1 181 913 A2	02-27-2002	Alcon Universal		
	T	EP 1 199 055 A1	04-24-2002	GeBauer GmbH		
	U	EP 1 350 492 A2	10-08-2003	GeBauer GmbH		✓
	V	WO 94/17851	08-18-1994	Mass. Inst. Tec		
	W	WO 98/53774	12-03-1998	Klopotek		
	X	WO 02/06883 A2	01-24-2002	Perez		

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Sheet	5	of	6
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		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	MM-DD-YYYY			
	Y	WO 03/009789 A1	02-06-2003	Fos Holding		
	Z	WO 03/026542 A1	04-03-2003	Geuder AG		✓
	AA	WO 03/061518 A2	07-31-2003	Perez		

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			Examiner Name	N/A	
Sheet	6	of	6	Attorney Docket Number	2N04.1-010

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	A	CHEN, Chun Chen, CHANG, Jin-Hong, LEE, Jae Bum, JAVIER, Joel, AZAR, Dimitri T.; "HUMAN CORNEAL EPITHELIAL CELL VIABILITY AND MORPHOLOGY AFTER DILUTE ALCOHOL EXPOSURE"; Investigative Ophthalmology & Visual Science; August 2002; pgs. 2593-2602; Vol. 43, No. 8; Association for Research in Vision and Ophthalmology.	
	B	CHEN, Ko-Hua, M.D., AZAR, Dimitri, M.D., JOYCE, Nancy C., Ph.D.; "TRANSPLANTATION OF ADULT HUMAN CORNEAL ENDOTHELIUM EX VIVO: A MORPHOLOGIC STUDY"; Cornea; 2001; pgs. 731-737; Vol. 20, No. 7; Lippincott Williams & Wilkins, Inc., Philadelphia.	
	C	JOO, Choun-Ki, GREEN, W. Richard, PEPOSE, Jay S., FLEMING, Timothy P.; "REPOPULATION OF DENUDED MURINE DESCEMET'S MEMBRANE WITH LIFE-EXTENDED MURINE CORNEAL ENDOTHELIAL CELLS AS A MODEL FOR CORNEAL CELL TRANSPLANTATION"; Graefes Arch Clin Exp Ophthalmol; 2000; pgs. 174-180; Vol. 238; Springer-Verlag.	
	D	LOHMANN, Chris P., MD, PhD; "EPI-LASIK, EPI-TOME" Presentation; Date of presentation is believed to be April 2004; 47 pgs.	
	E	SCHWAB, Ivan R. M.D., ISSEROFF, R. Rivkah M.D.; "BIOENGINEERED CORNEAS – THE PROMISE AND THE CHALLENGE"; The New England Journal of Medicine; July 13, 2000; pgs. 136-138; Vol. 343, No. 2; University of California, Davis, Medical School, Sacramento, CA 95817; Massachusetts Medical Society.	
	F	SOLOWAY, Barrie D., MD, FACS; "MORIA – EPI-LASIK AND LAMELLAR SURGERY, US CLINICAL STUDIES WITH THE EPIK FOR E-LASIK"; The New York Eye and Ear Infirmary, The New York Medical College; September 18, 2004; 23 pgs.; Paris, France.	
	G	"THE GEBAUER SEPARATOR GEOMETRY" Presentation; Date of presentation is believed to be September 2004; 8 pgs.	
	H	TSAL, Ray Jui-Fang, M.D., LI, Lien-Min, B.S., CHEN, Jan-Kan, Ph.D.; "RECONSTRUCTION OF DAMAGED CORNEAS BY TRANSPLANTATION OF AUTOLOGOUS LIMBAL EPITHELIAL CELLS"; The New England Journal of Medicine; July 13, 2000; pgs. 86-93; Vol. 343, No. 2; Massachusetts Medical Society.	

Examiner Signature		Date Considered	
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